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U.S. DISTRICT COURT E.D.N.Y.

★ JUL 23 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
MICHAEL DINKINS,

Plaintiff,

-against-

THE STATE OF NEW JERSEY,

Defendant.
----- X

BROOKLYN OFFICE

12-CV-3222 (ARR)

NOT FOR ELECTRONIC
OR PRINT PUBLICATION

TRANSFER ORDER

ROSS, United States District Judge:

In a document dated May 29, 2012, Michael Dinkins ("plaintiff"), proceeding pro se, states that he intends to file a claim against the State of New Jersey for his "wrongful imprisonment" in Newark, New Jersey, on August 9, 2011. Plaintiff is currently detained at Rikers Island in East Elmhurst, New York.

Pursuant to the venue provision governing civil actions in the district courts, this action must be filed in a judicial district where a substantial part of the events or omissions giving rise to the claim occurred or where any defendant resides. See 28 U.S.C. § 1391(b). Here, the alleged deprivation of constitutional rights occurred in Newark, which is located within the jurisdiction of the United States District Court for New Jersey. Accordingly, this case is hereby transferred to the United States District Court for New Jersey. See 28 U.S.C. § 1406(a).¹

This court offers no opinion on the merits of plaintiff's claims. The provision of Rule 83.1 of the Local Rules of the Eastern District of New York that requires a seven-day delay prior

¹ The court notes that it is unclear whether plaintiff intended to commence a civil action in federal court or merely misdirected an intended notice of claim. He captioned his submission "State of New Jersey Court of Claims" and did not pay the filing fee or submit an application to proceed in forma pauperis. In any event, venue is not proper in this court.

to the effectuation of a transfer is waived. No summons shall issue from this court.

SO ORDERED.

S/Judge Ross


Allyne R. Ross
United States District Judge

Dated: July 1st, 2012
Brooklyn, New York

SERVICE LIST:

Plaintiff:

Michael Dinkins
349-12-08624
18-18 Hazen Street
East Elmhurst, NY 11370